

## REMARKS

This Amendment is submitted in response to the Official Letter dated September 9, 2004. Claims 4 through 8, 10, 13 and 15 through 19 have been amended. Claims 1 through 3, 11, 12 and 14 are cancelled. The application now includes claims 4 through 10, 13 and 15 through 19, with claims 4, 5, 8, 9, 10, 13 and 15 through 17 being independent claims. Favorable reconsideration of the application, as amended, is respectfully requested.

In the Official Letter, the Examiner rejected claim 16 under 35 U.S.C. §112, second paragraph, as being vague and indefinite. Specifically, the Examiner stated that the word "acceptable" as recited in the limitation "...returned to an acceptable value" is vague. Applicants have amended claim 16 to recite an activation controller that fades a steering controller out when the activation controller has determined that oversteer has returned to a value that is less than a predetermined threshold. Accordingly, applicants respectfully request that the Examiner withdraw his rejection of claim 16 under 35 U.S.C. §112. Because independent claim 1 has been cancelled and claim 16 was dependent upon claim 1, applicants have rewritten claim 16 in independent form to include the limitations of base claim 1.

In the Official Letter, the Examiner rejected claims 1 through 3, 8, 14 and 16 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,528,497 to Yamamoto et al. Applicants have cancelled claims 1 through 3 and 14.

Regarding claim 8, the Examiner stated that the Yamanoto et al. reference teaches a determination of oversteering that is based upon representation models of the vehicle, as described in column 8, lines 1 through 63 of the reference. Because independent claim 1 has been cancelled and claim 8 was dependent upon claim 1, applicants have rewritten claim 8 in independent form to include the limitations of base claim 1. Amended claim 8 recites a steering controller that is operative to derive an estimation of the tendency of the vehicle to oversteer based upon a first vehicle model representing an understeering vehicle and a second vehicle model representing an oversteering vehicle which are compared to provide an indication of vehicle oversteer magnitude.

The Yamamoto et al. reference states, in column 8, lines 5 through 11, that:

Then, the vehicle speed  $V$  is read (step 23'), and a reference yaw rate response model  $\gamma_0$  is computed according to the previously determined transfer function of the vehicle (step 24'). Then, the current yaw rate  $\gamma$  is read (step 25'), and the difference or the deviation  $\gamma - \gamma_0$  between the current yaw rate  $\gamma$  and the reference yaw rate response model  $\gamma_0$  [is computed] (step 26').

Based upon the above, applicants believe that the Yamamoto et al. reference teaches use of a single yaw rate response model to generate a reference yaw rate  $\gamma_0$  that is then compared to an actual vehicle yaw rate  $\gamma$ . Nothing in the Yamamoto et al. reference shows or suggests using a first vehicle model representing an understeering vehicle and a second vehicle model representing an oversteering vehicle which are compared to provide an estimation of the tendency of the vehicle to oversteer as recited in amended claim 8. Accordingly, applicants believe that amended claim 8 is patentable over the art of record and respectfully request that the Examiner withdraw his rejection of the claim.

The Examiner further objected to claims 4 through 7, 10, 15 and 17 through 19 as being dependent upon a rejected base claim. The Examiner stated that the claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have rewritten claim 4 in independent form to include all of the limitations of original base claim 1 and intervening claim 3. Accordingly, rewritten claim 4 is in condition for allowance and applicants respectfully request that the Examiner withdraw his objection to the claim. Similarly, applicants have rewritten claims 5 and 10 in independent form to all of the limitations of original base claim 1. Accordingly, rewritten claims 5 and 10 are in condition for allowance and applicants respectfully request that the Examiner withdraw his objection to the claims. Applicants also have rewritten claim 15 in independent form to include all of the limitations of original base claim 1 and intervening claim 14. Accordingly, rewritten claim 15 is in condition for allowance and applicants respectfully request that the Examiner withdraw his objection to the

claim. Finally, applicants have rewritten claim 17 in independent form to include all of the limitations of original base claim 1 and intervening claim 16. Accordingly, rewritten claim 17 is in condition for allowance and applicants respectfully request that the Examiner withdraw his objection to the claim.

Regarding claims 6 and 7, the claims are dependent upon rewritten independent claim 5 and include the limitations contained therein. Accordingly, claims 6 and 7 are no longer dependent upon a rejected base claim and respectfully request that the Examiner withdraw his objection to the claims. Similarly, claims 18 and 19 are dependent upon rewritten independent claim 17 and include the limitations contained therein. Accordingly, claims 18 and 19 are no longer dependent upon a rejected base claim and respectfully request that the Examiner withdraw his objection to the claims.

In the Official Letter, the Examiner further stated that claims 9 and 13 are allowable.

In view of the amendments and above remarks, it is believed that the application is now in condition for allowance.